

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**JUDICIARY**  
**Senator Flores, Chair**  
**Senator Joyner, Vice Chair**

**MEETING DATE:** Monday, April 25, 2011**TIME:** 9:45 a.m.—1:00 p.m.**PLACE:** *Toni Jennings Committee Room, 110 Senate Office Building***MEMBERS:** Senator Flores, Chair; Senator Joyner, Vice Chair; Senators Bogdanoff, Braynon, Richter, Simmons, and Thrasher

| TAB | BILL NO. and INTRODUCER   | BILL DESCRIPTION and<br>SENATE COMMITTEE ACTIONS   | COMMITTEE ACTION           |
|-----|---|--|----------------------------|
| 1   | <b>CS/SB 1448</b><br>Community Affairs / Garcia<br>(Similar CS/CS/H 619, Compare H 931, S 1940, S 2024) | Sale/Lease/County, District, or Municipal Hospital;<br>Provides that the sale or lease of a county, district, or municipal hospital is subject to approval by the registered voters or by the circuit court. Requires the hospital governing board to determine by certain public advertisements whether there are qualified purchasers of lessees before the sale or lease of such hospital. Requires the board to file a petition for approval with the circuit court and receive approval before any transaction is finalized, etc.<br><br>HR 03/22/2011 Favorable<br>CA 04/04/2011 Fav/CS<br>JU 04/12/2011 Temporarily Postponed<br>JU 04/25/2011 Fav/CS<br>BC<br>RC | Fav/CS<br>Yeas 5 Nays 2    |
| 2   | <b>SB 2170</b><br>Judiciary   | Judicial Nominating Commissions; Provides for the Attorney General, rather than the Board of Governors of The Florida Bar, to submit nominees for certain positions on judicial nominating commissions. Provides for the termination of terms of all current members of judicial nominating commissions. Provides for staggered terms of newly appointed members.<br><br>JU 04/12/2011 Not Considered<br>JU 04/25/2011 Favorable<br>RC 04/15/2011 Not Received   | Favorable<br>Yeas 5 Nays 2 |

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| 3   | <b>CS/SB 476</b><br>Regulated Industries / Evers<br>(Similar CS/CS/CS/H 883,<br>Compare CS/H 63, CS/H 5007,<br>CS/S 366, CS/CS/S 1824) | Public Lodging Establishments; Provides that vacation rentals are residential property for purposes of provisions related to the treatment of such properties. Providing that public lodging establishments formerly classified as resort condominiums and resort dwellings are classified as vacation rentals. Revises mandatory education requirements for certain violations. Revises membership of the advisory council of the Division of Hotels and Restaurants of the Department of Business and Professional Regulation, etc.<br><br>RI 03/22/2011 Fav/CS<br>JU 04/04/2011 Not Considered<br>JU 04/25/2011 Fav/CS<br>BC   | Fav/CS<br>Yeas 7 Nays 0            |
| 4   | <b>SB 1770</b><br>Hays<br>(Identical H 1247)   | Parental Notice of Abortion; Revises notice requirements relating to the termination of pregnancy of a minor. Provides exceptions to the notice requirements. Revises procedure for judicial waiver of notice. Provides for the minor to petition for a hearing within a specified time. Provides that in a hearing relating to waiving the requirement for parental notice, the court consider certain additional factors, including whether the minor's decision to terminate her pregnancy was due to undue influence. Provides a procedure for appeal if judicial waiver of notice is not granted, etc.<br><br>HR 04/04/2011 Not Considered<br>HR 04/12/2011 Favorable<br>JU 04/25/2011 Fav/1 Amendment<br>BC | Fav/1 Amendment (<br>Yeas 5 Nays 2 |
| 5   | <b>CS/SB 1396</b><br>Health Regulation / Bogdanoff<br>(Compare CS/H 661, CS/CS/CS/S 1972)  | Nursing Homes; Requires the trial judge to conduct an evidentiary hearing to determine the sufficiency of evidence for claims against certain persons relating to a nursing home. Limits noneconomic damages in a wrongful death action against the nursing home. Revises provisions relating to punitive damages against a nursing home. Prohibits discovery of the defendant's financial worth until the judge approves the pleading on punitive damages, etc.<br><br>HR 03/28/2011 Temporarily Postponed<br>HR 04/12/2011 Fav/CS<br>JU 04/25/2011 Temporarily Postponed<br>BC  | Temporarily Postponed              |

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| 6   | <b>SJR 808</b><br>Díaz de la Portilla  | Homestead Exemption/Senior Citizens; Proposes amendments to the State Constitution to authorize counties to exempt the homesteads of eligible senior citizens from increases in ad valorem taxation.<br><br>CA 04/11/2011 Favorable<br>JU 04/25/2011 Fav/CS<br>BC   | Fav/CS<br>Yeas 7 Nays 0    |
| 7   | <b>CS/SB 1930</b><br>Banking and Insurance /<br>Bogdanoff<br>(Compare CS/CS/H 967, CS/H 1411, CS/S 1252) | Motor Vehicle Personal Injury Protection Insurance; Revises provisions relating to the contents of written reports of motor vehicle crashes. Requires that an application for licensure as a mobile clinic include a statement regarding insurance fraud. Authorizes the Division of Insurance Fraud to establish a direct-support organization for the purpose of prosecuting, investigating, and preventing motor vehicle insurance fraud. Adds licensed acupuncturists to the list of practitioners authorized to provide, supervise, order, or prescribe services, etc.<br><br>BI 03/29/2011 Temporarily Postponed<br>BI 04/05/2011 Temporarily Postponed<br>BI 04/12/2011 Fav/CS<br>JU 04/25/2011 Not Considered<br>RC | Not Considered             |
| 8   | <b>CS/SB 1694</b><br>Banking and Insurance / Richter<br>(Compare CS/CS/H 967)                            | Motor Vehicle Personal Injury Protection Insurance; Limits attorney's fees based on the disputed amount. Limits attorney's fees in class actions. Provides that attorney's fees are calculated without regard to a contingency risk multiplier.<br><br>BI 03/29/2011 Not Considered<br>BI 04/05/2011 Not Considered<br>BI 04/12/2011 Fav/CS<br>JU 04/25/2011 Not Considered<br>RC   | Not Considered             |
| 9   | <b>SB 474</b><br>Evers<br>(Identical H 4023, Compare CS/H 5005)  | Sales Representative Contracts; Repeals a provision relating to sales representative contracts, commissions, requirements, termination of agreements, and civil remedies.<br><br>CM 04/05/2011 Favorable<br>JU 04/25/2011 Favorable<br>RC   | Favorable<br>Yeas 6 Nays 1 |

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| 10  | <b>CS/SB 956</b><br>Criminal Justice / Hays<br>(Compare CS/CS/H 517, CS/H 4069, CS/CS/S 234)                       | Firearms Transactions; Provides that certain laws of this state regulating firearms transactions do not apply to transactions by a resident of this state which take place in another state. Repeals provision relating to the purchase of rifles and shotguns in contiguous states by a Florida resident.<br><br>CJ 04/12/2011 Fav/CS<br>JU 04/25/2011 Favorable<br>BC   | Favorable<br>Yeas 7 Nays 0         |
| 11  | <b>CS/CS/SB 530</b><br>Community Affairs / Regulated Industries / Fasano<br>(Compare H 1035, CS/CS/H 1195, S 1516) | Condominium/Cooperative/Homeowners' Associations; Exempts certain residential buildings from a requirement to install a manual fire alarm system. Revises provisions relating to the official records of condominium associations. Authorizes the board of a condominium association to install impact glass or other code-compliant windows under certain circumstances. Requires the vote or written consent of a majority of the voting interests before a condominium association may enter into certain agreements to acquire leaseholds, memberships, or other possessory or use interests, etc.<br><br>RI 03/16/2011 Fav/CS<br>CA 03/28/2011 Fav/CS<br>JU 04/25/2011 Fav/1 Amendment<br>BC | Fav/1 Amendment (<br>Yeas 7 Nays 0 |
| 12  | <b>CS/SB 1168</b><br>Criminal Justice / Oelrich<br>(Similar CS/H 409)  | Public Records/Victim of a Sexual Offense; Provides an exemption from public records requirements for the dissemination of a photograph, videotape, or other image of any part of the body of a victim of a sexual offense which is made or broadcast by a video voyeur and which constitutes criminal investigation information or criminal intelligence information in an agency investigation. Provides for future repeal and legislative review of the exemption under the Open Government Sunset Review Act. Provides a statement of public necessity, etc.<br><br>CJ 04/04/2011 Fav/CS<br>JU 04/25/2011 Favorable<br>GO   | Favorable<br>Yeas 7 Nays 0         |

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| 13  | <b>SB 1508</b><br>Wise<br>(Compare CS/H 1279)   | Costs of Prosecution; Requires the clerk of the court to distribute the funds received from a defendant according to a specified order of priority when the defendant makes a partial payment to the clerk of costs of prosecution. Requires that a portion of the costs of prosecution be remitted to the State Attorneys Revenue Trust Fund. Imposes certain costs on persons whose cases are disposed of under a pretrial intervention program or pretrial substance abuse intervention program, etc.<br><br>CJ 04/12/2011 Favorable<br>JU 04/25/2011 Fav/1 Amendment<br>BC   | Fav/1 Amendment (<br>Yeas 7 Nays 0 |
| 14  | <b>SB 1918</b><br>Margolis<br>(Similar CS/H 1237)   | Legal and Medical Referral Service Advertising; Requires advertising from a medical or lawyer referral service related to motor vehicle accidents to comply with certain requirements regarding content. Requires advertisements or unsolicited written communications from certain legal referral services related to motor vehicle accidents to comply with the Supreme Court of Florida's Rules Regulating The Florida Bar. Provides civil and criminal penalties for violations relating to legal and medical referral advertising and relief to persons affected, etc.<br><br>HR 04/12/2011 Favorable<br>JU 04/25/2011 Not Considered<br>BC | Not Considered                     |
| 15  | <b>CS/SB 1334</b><br>Criminal Justice / Bogdanoff<br>(Compare CS/H 917, CS/S 1390,<br>S 1798) | Sentences of Inmates; Removes all references to imposing mandatory minimum sentences for defendants convicted of trafficking in controlled substances. Provides legislative intent to encourage the DOC, to the extent possible, to place inmates in the community to perform paid employment for community work. Directs the DOC to develop and administer a reentry program for nonviolent offenders which is intended to divert nonviolent offenders from long periods of incarceration. Authorizes the DOC to grant up to 10 days per month of incentive gain-time, etc.<br><br>CJ 03/28/2011 Fav/CS<br>JU 04/25/2011 Favorable<br>BC        | Favorable<br>Yeas 5 Nays 2         |

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| 16  | <b>SB 1146</b><br>Sachs<br>(Similar CS/H 91)   | Drug-related Overdoses; Provides that a person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose may not be charged, prosecuted, or penalized for specified offenses in certain circumstances. Provides that a person who experiences a drug-related overdose and needs medical assistance may not be charged, prosecuted, or penalized for specified offenses in certain circumstances, etc.<br><br>CJ 03/28/2011 Fav/1 Amendment<br>HR 04/12/2011 Favorable<br>JU 04/25/2011 Not Considered<br>BC  | Not Considered             |
| 17  | <b>CS/SB 1384</b><br>Commerce and Tourism / Altman<br>(Similar CS/CS/CS/H 907,<br>Compare S 2044)            | Transfer of Tax Liability; Revises provisions relating to tax liability when a person transfers or quits a business. Provides that the transfer of the assets of a business or stock of goods of a business under certain circumstances is considered a transfer of the business. Provides that transferees of the business are liable for certain taxes unless specified conditions are met. Provides methods for calculating the fair market value or total purchase price of specified business transfers to determine maximum tax liability of transferees, etc.<br><br>CM 04/12/2011 Fav/CS<br>JU 04/25/2011 Favorable<br>BC       | Favorable<br>Yeas 7 Nays 0 |
| 18  | <b>CS/CS/SB 1430</b><br>Education Pre-K - 12 / Regulated<br>Industries / Altman<br>(Identical CS/H 891)      | Regulation of Smoking; Authorizes school districts to restrict smoking on school district property.<br><br>RI 03/16/2011 Fav/CS<br>ED 04/14/2011 Fav/CS<br>JU 04/25/2011 Favorable  | Favorable<br>Yeas 7 Nays 0 |
| 19  | <b>CS/SB 1402</b><br>Criminal Justice / Smith<br>(Identical CS/H 1369, Compare<br>CS/H 449, S 134, CS/S 146) | Criminal History Records; Cites this act as the "Jim King Keep Florida Working Act." Authorizes a court to expunge a criminal history record of a person who had a prior criminal history record sealed or expunged in certain circumstances. Authorizes a person to lawfully deny or fail to acknowledge the arrests and subsequent dispositions of an expunged record under certain circumstances. Provides that a person may fail to recite or acknowledge an expunged criminal history record on an employment application without committing certain violations, etc.<br><br>CJ 04/12/2011 Fav/CS<br>JU 04/25/2011 Favorable<br>BC | Favorable<br>Yeas 7 Nays 0 |

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| 20  | <b>CS/SB 1890</b><br>Criminal Justice / Storms<br>(Similar CS/CS/H 1277) | Sexual Offenders and Predators; Replaces the definition of the term "instant message name" with the definition of the term "Internet identifier." Provides that voluntary disclosure of specified information waives a disclosure exemption for such information. Requires disclosure of passport and immigration status information. Requires a specified national search of registration information regarding sexual predators and sexual offenders prior to appointment or employment of persons by state agencies and governmental subdivisions, etc.<br><br>CJ 04/04/2011 Temporarily Postponed<br>CJ 04/12/2011 Fav/CS<br>JU 04/25/2011 Fav/1 Amendment<br>BC | Fav/1 Amendment (<br>Yeas 7 Nays 0 |
| 21  | <b>SB 982</b><br>Norman<br>(Similar CS/H 241)                            | Wage Protection for Employees; Cites this act as the "Florida Wage Protection Act." Provides legislative findings. Prohibits a county, municipality, or political subdivision of the state from adopting a wage theft ordinance or regulation that exceeds certain state and federal laws. Preempts such activities to the state.<br><br>CA 04/04/2011 Favorable<br>JU 04/25/2011 Not Considered<br>GO   | Not Considered                     |

An electronic copy of the Appearance Request form is now available to download from any Senate Committee page on the Senate's website, [www.flsenate.gov](http://www.flsenate.gov).